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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,665	11/12/2003	Manoj Khangaonkar	SVL920030058US1	2592
34663 7590 06/11/2009 MICHAEL J. BUCHENHORNER 8540 S.W. 83 STREET MIAMI, FL 33143				
EXAMINER DEBNATH, SUMAN				
ART UNIT 2435		PAPER NUMBER		
NOTIFICATION DATE 06/11/2009		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/712,665

**Applicant(s)**

KHANGAONKAR ET AL.

**Examiner**

SUMAN DEBNATH

**Art Unit**

2435

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 5,8-10, 18, 19 and 23-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 5,8-10, 18, 19 and 23-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### **DETAILED ACTION**

1. Claims 5, 8-10, 18-19 and 23-30 are pending in this application.
2. Claims 5 and 18 are currently amended.
3. Claims 23-30 are newly added.
4. Claims 1-4, 6-7, 11-17 and 20-22 were previously cancelled.
5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action.

#### ***Continued Examination Under 37 CFR 1.114***

6. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 04, 2009 has been entered.

#### ***Claim Objections***

7. Claims 24 and 30 are objected to because of the following:

Claim 24 recites, "the bookkeeping functions", There is insufficient antecedent basis for this limitation in the claim.

Claim 30 is a dependent claim which is dependent on itself. For the purpose of examination, Examiner asserts that claim 30 is dependent on claim 26.

Appropriate correction is required.

***Claim Rejections - 35 USC § 101***

8. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

9. Claims 23-25 are rejected under 35 U.S.C 101 because claims are directed to non-statutory subject matter.

As to claims 23, the language of the claim(s) raises a question whether the claim is directed merely to an abstract idea that is not tied to an environment or machine which would result in a practical operation producing a concrete, useful, and tangible result to form the basis of statutory subject matters under 35 U.S.C 101. In particular, the claim recites limitations, "an agent", "an encryption engine", "a queue manager" and "an output for transmitter", these agent and modules could be implemented as Software and/or combination of Hardware. Thus, Examiner interprets and gives the broadest meaning of agent and these modules as Software which directs the claims to non statutory subject matter (program per se claim). (Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759, 1760).

As to claims 24-25, they are rejected because of their dependency on the claim 1 and 6, and further not being able to produce any useful and tangible results.

***Claim Rejections - 35 USC § 103***

10. Claims 5, 8-10, 18-19 and 23-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Grovit et al. (Pub. No.: US 2003/0074310 A1) (hereinafter, "Grovit") and further in view of Arnone et al. (Pub. No.: US 2007/0255957 A1) (hereinafter, "Arnone").

11. As to claim 5, a method for integrating applications hosted at different enterprises separated by at least one firewall, the method comprising steps of:

Grovit discloses a agent acting as a spoke in a hub and spoke integrating system and a server acting as a hub in another hub and spoke integrating system (Grovit, "The system operates as a hub and spoke money transfer system in which the transaction server 1000 acts as a hub and the master agent's computer 3000 acts as a spoke", e.g. see, [0114]-[0115], [0117]). Grovit further discloses high level business data transfer in a secure manner from a source application program ([0042], [0047]).

Grovit doesn't explicitly disclose but Arnone discloses encoding the data according to a message queuing protocol to provide an MQ message ([0025], Arnone teaches this limitation by sending an MQ message);

encrypting the MQ message using Hyper-Text Transport Protocol Secure (HTTPS) to provide an encrypted MQ message ([0025], which describes message is sent in accordance with the HTTPS protocol. It should be noted that HTTPS protocol uses encrypted communication, see also, [0029], [0034]); and

transmitting, via the Internet using HTTP, and MQSeries Internet Passthrough, and through the firewalls at each end of the Internet, the encrypted MQ message to a server; running a destination application program for processing of the data ([0126], which describes MQ messages pass though firewall, see also, [0029], which teaches that the firewalls are located in each end point).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the teaching of Grovit as taught by Arnone in order to transmit data in a secure and reliable manner with guaranteed delivery.

12. As to claim 8, the combination of Grovit and Arnone disclose maintaining a record of the messages received from the source application program (Arnone: [0025], [0029], [0034]).

13. As to claim 9, the combination of Grovit and Arnone disclose wherein the record of the messages received from the source application program comprises information on the number of messages received (Arnone: [0025], [0029], [0034]).

14. As to claim 10, the combination of Grovit and Arnone disclose wherein the record of the messages received from the source application program comprises information on type of messages received (Arnone: [0025], [0029], [0034]).

15. As to claim 18, 23 and 26, these are rejected using the similar rationale as for the rejection of claim 5.

16. As to claim 19, the combination of Grovit and Arnone disclose wherein the high-level data comprises customer information (Grovit: [0042], [0047]).

17. As to claim 24, the combination of Grovit and Arnone disclose a protocol for telling a sender to stop sending messages so that it can perform the bookkeeping functions (Arnone: [0025], [0029], [0034]).

18. As to claim 25, the combination of Grovit and Arnone disclose wherein the encryption engine comprises a secure sockets layer protocol (Arnone "Secure Socket Layer (SSL) connection in accordance with the Secure HyperText Transfer Protocol (HTTPS)" e.g., see, [0025]).

19. As to claim 27, the combination of Grovit and Arnone disclose an instruction for storing the encrypted MQ message in a queue manager prior to transmitting the encrypted MQ message (Arnone: [0025], [0029], [0034]).

20. As to claim 28, the combination of Grovit and Arnone disclose an instruction for sending a message to the source application program instructing the source application program to stop sending data (Arnone: [0025], [0029], [0034]).

21. As to claim 29, the combination of Grovit and Arnone disclose an instruction for maintaining a record of the messages received from the source application program (Arnone: [0025], [0029], [0034]).

22. As to claim 30, the combination of Grovit and Arnone disclose wherein the record of the messages received from the source application program comprises information on the number of messages received (Arnone: [0025], [0029], [0034]).

23. **Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may be applied as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

#### ***Response to Arguments***

24. Applicant has amended claims 5 and 18, which necessitated new ground of rejection, please see rejection above.

***Conclusion***

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUMAN DEBNATH whose telephone number is (571)270-1256. The examiner can normally be reached on 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on 571 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. D./  
Examiner, Art Unit 2435  
/Kimyen Vu/  
Supervisory Patent Examiner, Art Unit 2435